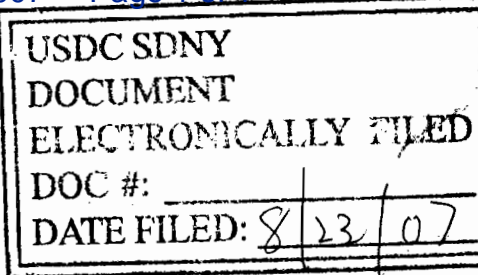


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August 23, 2007

BY HAND DELIVERY

John G. Koeltl
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Room 1030
New York, NY 10007

Re: **Frimpong v. 1199SEIU**
Index No. 07 CV 7375 (JGK)

Dear Judge Koeltl:

This firm represents the Defendant 1199SEIU United Healthcare Workers East ("1199" or "Union") in the above matter. I write to request permission to submit a motion to dismiss and/or a motion for summary judgment. The motion will be based on the fact that the duty of fair representation claim is time-barred, and the claim concerning the alleged failure to offer job counseling or training is either time-barred or the wrong party has been sued.

We would only need a week from the time we receive permission to file the motion. Our Answer is due Monday, August 27, 2007. We asked the attorneys for the Plaintiff to extend our time to answer or move. They have denied the request which was the first we have made.

Very truly yours,

Levy Ratner, P.C.

Richard Dorn
Richard Dorn

RLD:jos

cc: Arlen S. Yalkut, Esq.
Yalkut & Israel, Esqs.

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Returned to chambers for scanning on 8/29/07

Scanned by chambers on 9/4/07